

## **RESOLUTION 2019-041**

### **A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS, CALIFORNIA RESCINDING RESOLUTION 2018-056 AND ADOPTING A REVISED ENABLING RESOLUTION TO ESTABLISH A SALES TAX OVERSIGHT COMMITTEE**

**WHEREAS**, on June 19, 2018 the Los Gatos Town Council adopted Ordinance No. 2274 imposing a General Transaction and Use Tax ("Ordinance 2274") for a period of twenty years.

**WHEREAS**, the purpose of the Ordinance 2274 is to impose a local one-eighth cent (0.125%) sales tax on retail transactions ("Sales Tax") within the town limits of the Town of Los Gatos; and

**WHEREAS**, on November 6, 2018, the citizens of the Town approved imposition of the Sales Tax by approving ballot Measure G on the November 6, 2018 ballot; and

**WHEREAS**, Ordinance 2274 and Measure G state that funds raised from the Sales Tax shall be used to fund essential Town services such as maintaining neighborhood police patrols; improving traffic flow to reduce congestion; repairing potholes and fixing neighborhood streets; and maintaining the Town's long-term financial stability; and

**WHEREAS**, the Ordinance 2274 and Measure G require Citizens Oversight, mandatory financial audits, and yearly reports to the community to ensure funds are spent as promised; and

**WHEREAS**, in accordance with the provisions of Section 2.60.140 of Ordinance 2274, the Town Council shall appoint a Committee to advise the Town Council on the expenditures funded by the Sales Tax revenues in order to ensure that said revenues are spent in accordance with the Town Council objectives stated in Ordinance 2274 and Measure G; and

**WHEREAS**, on December 18, 2018, the Town Council adopted Resolution 2018-056 to establish the Sales Tax Oversight Committee; and

**WHEREAS**, the Town needs a viable Committee structure to ensure the Sales Tax Oversight Committee can meet and fulfill its obligations.

**NOW, THEREFORE, BE IT RESOLVED**, that the Los Gatos Town Council orders as follows:

**Section 1.** The Town Council hereby rescinds Resolution 2018-056.

**Section 2.** The Town Council hereby adopts a revised enabling Resolution to establish the Town of Los Gatos Sales Tax Oversight Committee pursuant to Ordinance 2274 and Measure G.

**Section 3.** The Los Gatos Sales Tax Oversight Committee shall consist of a minimum of five (5) members.

**Section 4.** The members of the Los Gatos Sales Tax Oversight Committee shall be appointed by a majority vote of the Town Council.

**Section 5.** Each member of the Los Gatos Sales Tax Oversight Committee shall, on the date of appointment and throughout the member's term on the Los Gatos Sales Tax Citizens Oversight Committee, be a resident of the Town of Los Gatos.

**Section 6.** The term of each member of the Los Gatos Sales Tax Oversight Committee shall be four (4) years.

**Section 7.** The terms of office of the resident members of the Los Gatos Sales Tax Oversight Committee shall be staggered and overlapped in such a manner that the terms of no more than one-third of the members expire each year.

**Section 8.** The Town Council shall fill any resident member vacancies of the Los Gatos Sales Tax Oversight Committee occurring during the term of the Committee. In the event there are insufficient applicants for the Town Council to fill Committee vacancies, the resident members of the Town's Finance Committee may fill those vacancies so a Sales Tax Oversight Committee meeting can be convened.

**Section 9.** The members of the Los Gatos Sales Tax Oversight Committee shall serve without compensation, provided that with advance budgetary approval of the Town Council, the actual and necessary expenses (if any) incurred by the members in the conduct of Town business shall be reimbursable pursuant to the provisions of the current Administrative Policy.

**Section 10.** The Los Gatos Sales Tax Oversight Committee shall meet semi-annually and all meetings shall be noticed and conducted in accordance with the applicable provisions of the Brown Act and Robert's Rules of Order and Town Policies established for Commissions and Committees.

**Section 11.** Minutes of the actions taken during the Los Gatos Sales Tax Oversight Committee's meetings shall be kept and shall be a public record.

**Section 12.** The function of the Los Gatos Sales Tax Oversight Committee shall be to serve in an advisory capacity to the Town Council. Prior to the Town's expenditure of any Sales Tax revenues, the Los Gatos Sales Tax Oversight Committee shall review the Town's proposed expenditures and advise the Town Council on whether such expenditures meet the Town Council's objectives stated in Ordinance 2274 and Measure G. It shall not be within the purview of the Sales Tax Oversight Committee to direct staff, recommend any particular contract or project but only to determine whether such expenditures meet the Town Council's objectives stated in Ordinance 2274 and Measure G. In addition, the final determination of whether such

expenditures meet the Town Council's objectives and the approval of any such expenditure shall be made by Town Council. The Los Gatos Sales Tax Oversight Committee shall issue an annual public report of the expenditures and appropriations of the Sales Tax revenues which were approved by the Town Council during the applicable fiscal year. The Los Gatos Sales Tax Oversight Committee shall undertake such other and additional duties as the City Council may direct.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 6<sup>th</sup> day of August, 2019 by the following vote:

COUNCIL MEMBERS:

AYES: Marcia Jensen, Rob Rennie, Marico Sayoc, Barbara Spector, Mayor Steven Leonardis

NAYS: None

ABSENT: None

ABSTAIN: None

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: \_\_\_\_\_

ATTEST:

*Shelley Rie*

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

DATE: 8/19/19